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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,801	10/31/2003	Do-Young Kim	Q77358	1154
23373 7590 08/27/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER SAINT CYR, JEAN D	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 08/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/697,801

Applicant(s)

KIM, DO-YOUNG

Examiner

Jean D. Saintcyr

Art Unit

2609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-7, filed 10/31/2003, are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5 and are rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al, US. No. 20010011373.

Re claim 1, Inoue et al disclose A method of controlling a program guide display using an electronic program guide (a method of displaying a program guide, lines 2-3, 0007), the method comprising: in response to a command to enter an EPG mode, displaying EPG information of N channels (channels in a greater number than 5 may be simultaneously displayed, lines 5-6, 0082), which EPG information has been previously stored (program information within the time range including the program which is most recently received, lines 3-5, 0011); and whenever a selection channel is selected from among the N channels for which the EPG information is displayed, tuning the selection channel (the tuner is tuned to a receiving band selected by the user, lines 8-9, 0063; that means the user selects a channel) and updating corresponding EPG information(updated program display, line 13, 0103).

Re claim 2, Inoue et al disclose wherein operation (a) further comprises tuning a channel of the N channels (User searches for the favorite program among the channels and select it, lines 3-4, 0006; that means user tunes to a specific channel among the N channels) for which the entry of the EPG mode is requested, and displaying updated EPG information (updated program, line 15, 0103).

Re claim 3.A, Inoue et al teach method of controlling a program guide display in which an electronic program guide (EPG) is displayed using one tuner (see fig.1, element 4, tuner), the method comprising: (a) in response to a command to enter an EPG mode (see fig.8, EPG display process, that means a command to enter an EPG was made), checking if EPG information of N channels has been stored; if the EPG information of N channels has been stored, tuning a current channel of the N channels and extracting corresponding EPG information (displaying the extracted program information, lines 19-20, 0008); displaying the EPG information of the current channel (see fig.3), which is extracted in operation (b), and the EPG information of remaining channels of the N channels which has been previously stored; and (d) if a selection channel is selected from among the N channels for which the EPG information of N channels is displayed in operation (c), tuning the selected channel (User searches for the favorite program among the channels and select it, lines 3-4, 0006; that means user tunes to a specific channel among the N channels) and updating corresponding EPG information (updated program, line 15, 0103).

Re claim 4, Inoue et al disclose wherein, in operation (c), the updated EPG information of the current channel and the EPG information of N-1 channels of the EPG information of the N channels which has been previously stored, is displayed (in the display of the EPG, user uses the remote control device attached to the receiving apparatus to search for the favorite program (lines 8-9, 0005; that means user displayed only EPG program for channels that were previously stored).

Re claim 5, Inoue et al wherein, in operation (d), the selection channel is selected by positioning a cursor at a broadcasting program of a current channel while an EPG information screen is displayed, determining whether the cursor moves (as to move the cursor, lines 7-8, 0087), and if the cursor moves, determining whether the cursor moves vertically or horizontally (see fig.4, showing arrows when the cursor is moving vertically or horizontally).

4. Claims 6-7 and are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuyama et al, US. No. 7239359.

Re claim 6, Matsuyama et al teach An apparatus configured to receive digital broadcasting, the apparatus receiving a transport stream incorporating EPG information, the apparatus comprising: a demultiplexing unit (see fig.1, element 3, demux) configured to demultiplex the transport stream into a video stream, an audio stream, and the transport stream incorporating EPG information; an image signal processing unit (video processing circuit, fig.1, element 7) configured to image-process streams demultiplexed by said demultiplexing unit; an EPG generating unit(see fig.1, element 14, nonvolatile memory) configured to generate a program guide screen using the EPG information; a display unit configured (see fig.1, element 16a)to display an image signal output from said image signal processing unit and the EPG information output from said EPG generating unit; and a control unit (see fig.1, element 2, tuner) configured to tune a current channel and to detect corresponding broadcast information upon receipt of a request command of an EPG mode, to tune a channel selected from among channels for which the EPG information is displayed by said display unit, and then to update EPG information corresponding to the selected channel.

Re claim 7, Matsuyama et al teach further comprising a key input unit (see fig.1, element 10, remote control) configured to select a desired channel from

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among the channels for which EPG information is displayed.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US No. 20030196202 (Progressive Update Of Information, Barrett et al), this system gives opportunity to users to update the EPG information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST. If attempts to reach the examiner by telephone are not successful, his supervisor, Marvin Lateef, can be reached on 571-272-5026. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Supervisor Patent Examiner

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08/20/07 2007